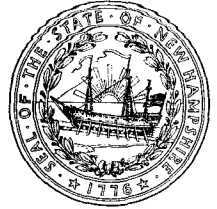




The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

**LETTER OF DEFICIENCY**  
**WD WWEB/C 06-011**

July 26, 2006

Mr. Russell Dean  
Town Manager  
Town of Exeter  
10 Front Street  
Exeter, New Hampshire 03833

Re: Unpermitted Discharge  
Water Treatment Plant  
Exeter, New Hampshire

Dear Mr. Olson:

The purpose of this Letter of Deficiency (LOD) is to put the Town of Exeter on notice of the violation that occurred at the Water Treatment Plan in Exeter, NH starting the week of July 10, 2006.

**ISSUE**

During the week of July 10, 2006, Victoria Del Greco, Superintendent of Water and Sewer, notified New Hampshire Department of Environmental Services, Wastewater Engineering Bureau (DES) that Exeter has begun discharging the Exeter Water Treatment Plant filter backwash to Wheelwright Creek. DES has not received any additional information concerning this discharge.

Exeter does not have a National Pollution Discharge Elimination System (NPDES) Permit or a State Surface Water Discharge Permit for the water treatment plant filter backwash discharge. It is illegal, pursuant to New Hampshire Revised Statutes Annotated ("RSA") Chapter 485-A Section 13, I(a), to discharge wastewater to the groundwater or surface waters of the State, without first obtaining a written permit from the Department of Environmental Services.

**ACTIONS**

DES is requiring the following:

1. Provide to DES **in writing** the following:
  - a. A description of what events occurred that lead to this discharge i.e., equipment failures, weather events etc.
  - b. A description of when the discharge started, whether or not it is on-going, when it is anticipated to cease, and the amount discharged each day.

- c. Analytical results of samples collected of the unpermitted discharge and any surface water analytical results,
  - d. A description and map indicating the specific location of the discharge, and
  - e. A description of preventative measures taken to eliminate future discharges from the backwash filter pond,
2. Sampling of the discharge TSS, chlorine and pH each day that discharge continues; and once per week for Fecal Coliform and Aluminum (if alum is used as part of the water treatment process). Also, measure the total daily flow. These parameters are what would be required under either an individual or general NPDES permit. Sampling shall occur until the discharge ceases.
  3. Information, know to date, required under Item 1. shall be provided to DES by August 25, 2006. All results required under Item 2. shall be submitted to DES weekly until the unpermitted discharge practice is stopped by Exeter.

#### **CONCLUSION**

Please note that the Town of Exeter is responsible for complying with all applicable federal and state requirements, whether found in statutes, rules or applicable permit(s) and this letter does not provide relief against any other existing or future violations.

In light of the magnitude of this unpermitted discharge, DES would like to meet with Exeter in the immediate future to receive the needed information and discuss the issues.

Please contact Margaret Bastien, P.E. at (603) 271-2755 by August 18, 2006 to schedule a meeting.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'COPY' with a flourish extending from the end.

John R. Bush, P.E.  
Administrator  
Wastewater Engineering Bureau

cc: Margaret Bastien, P.E., Compliance Coordinator, DES/WD/WWEB  
Gretchen R. Hamel, Administrator- DES Legal Unit  
Joy Hilton, US EPA, Water Technical Unit  
Victoria Del Greco, Exeter Water and Sewer Superintendent  
File DES/WD/WWEB

CERTIFIED MAIL/RRR: 7099 3400 0018 1294 3431